

**CARTER LEDYARD & MILBURN LLP**  
*Counselors at Law*

Judith A. Lockhart  
Partner

Direct Dial: 212-238-8603  
E-mail: lockhart@clm.com

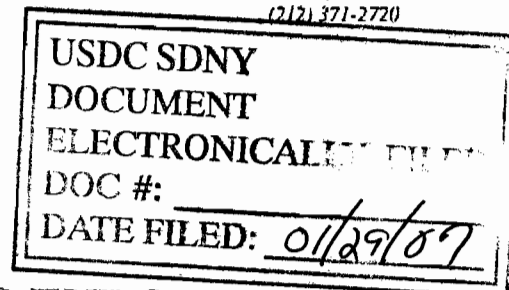
2 Wall Street  
New York, NY 10005-2072

Tel (212) 732-3200  
Fax (212) 732-3232

1401 Eye Street, N.W.  
Washington, DC 20005  
(202) 898-1515

570 Lexington Avenue  
New York, NY 10022  
(212) 371-2720

January 26, 2007



**BY FACSIMILE (212) 805-0426**

The Hon. Laura Taylor Swain  
United States District Judge  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 755  
New York, New York 10007-1312

**MEMO ENDORSED**

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel and unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not fax such certification to Chambers.

Re: Seamount International Association, Ltd. v. Kuehne & Nagel, Ltd., Case No. 06 Civ 5648 (LTS)

Dear Judge Swain:

We represent the Respondent Kuehne + Nagel in the above-captioned matter. I write on behalf of both parties to advise the Court that we have reached an agreement-in-principle (subject to agreement on a minor item) to resolve the matters presently before the Court. Because of the distance between counsel and clients, it has taken longer than anticipated to complete the settlement. We anticipate being able to present the Court with a settlement agreement next week. Under the circumstances, we respectfully request that the Court suspend the current briefing schedule pending completion of the settlement agreement.

Respectfully submitted,

Judith A. Lockhart

JAL:maf  
cc: Patrick Lennon, Esq.

The request is granted. The conference is adjourned to March 2, 2007 at 9:45AM.

**SO ORDERED.**

1/26/2007  
LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE